

Appl. No. 10/020,794
Docket No. CM2438MX
Amdt. dated 09/10/2007
Reply to Office Action mailed on 01/10/2008
Customer No. 27752

REMARKS

Claim Status

Claims 1-12 are pending in the present application. Claims 6 and 12 are presently canceled without prejudice. No additional claims fee is believed to be due.

Claim 1 is currently amended to specify the forms of the first and second phases. Antecedent basis for this amendment is found in claim 6 as originally submitted as well as on page 4, lines 8-11 of the specification. Claim 1 is further amended to specify that the benefit agent is an encapsulate perfume. Antecedent basis for this amendment is found in the specification from page 25, line 10 through page 26, line 7.

Claim 5 is amended to correct a typographical error.

It is believed that these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §112, First Paragraph

Claim 12 stands rejected as failing to comply with the written description requirement of §112, first paragraph. Applicants have presently cancelled claim 12, and thereby obviated the rejection.

Rejections Under 35 USC §103(a) Over Raehse

Claims 1-12 stand rejected under §103(a) as being obvious over US Patent No. 5,382,377 (hereinafter referred to as "Raehse"). Applicants submit that Raehse does not establish a *prima facie* case of obviousness, because it does not teach or suggest all of the limitations of amended claim 1, or the balance of the pending claims which depend therefrom. Namely, Raehse does not teach or suggest a shaped detergent composition comprising a first phase in the form of a shaped body and a second phase, wherein the second phase is a shaped body contained within the mold of the first phase. Notably, the Office admits that Raehse is silent even with respect to comprising at least two phases. *See the Action at page 4, second full paragraph.* The Office continues by indicating that:

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[I]t would have been obvious to the compositions or processes of Raehse et al to compress the phases to form a homogenous resultant tablet disclosed by Raehse et al (see abstract) since compression of phases will ultimately yield a homogenous mixture in an absence of a showing to the contrary.

Applicants respectfully submit that whether it is obvious to arrive at a homogenous resultant tablet based upon Raehse is not germane to the whether the presently claimed invention is obvious, since "a first phase and a second phase" is required *inter alia* in the claims. Moreover, Applicants submit that Raehse appears to teach a homogenous premix that is then compacted to form "portioned pressings such as tablets", rather than a homogenous resultant tablet as alleged by the Office.

On the foregoing bases, Applicants respectfully request withdrawal of the §103(a) rejections over Raehse and allowance of claims 1-5 and 7-11.

Rejections Under 35 USC §103(a) Over Boskamp

Claims 1-12 stand rejected under §103(a) as being obvious over US Patent No. 6,486,118 (hereinafter referred to as "Boskamp"). These rejections are traversed on the basis that a *prima facie* case of obviousness is not met with respect to the pending claims. Applicants submit that Boskamp does not establish a *prima facie* case of obviousness, because it does not teach or suggest all of the limitations of amended claim 1, or the balance of the claims which depend therefrom. Namely, Boskamp does not teach or suggest a detergent composition comprising encapsulate perfume, much less a shaped detergent composition comprising a first phase in the form of a shaped body and a second phase, wherein the second phase is a shaped body contained within the mold of the first phase, the second phase comprising at least one particle that is an encapsulate perfume, as is required in the present claims.

On the foregoing bases, Applicants respectfully request withdrawal of the §103(a) rejections over Boskamp and allowance of claims 1-5 and 7-11.

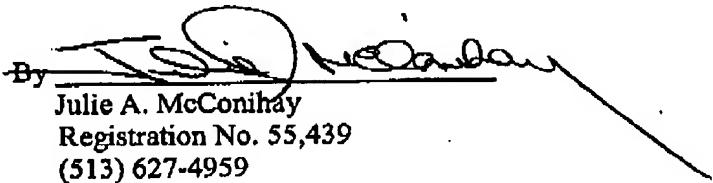
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Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendments presented, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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